

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

ORIGINAL

(File this application via e-docket or if unable to do so, file one original verified application with the Chief Clerk.)

Docket No. _____

ICC Office Use Only

EVERCOM SYSTEMS, INC.

Application for a certificate of
prepaid calling service provider authority
to offer prepaid calling services to
inmates in certain correctional facilities in
the State of Illinois

05-0439

APPLICATION TO OBTAIN A
"CERTIFICATE OF PREPAID CALLING SERVICE PROVIDER AUTHORITY"
(Use additional sheets as necessary.)

GENERAL

1. Applicant's Name (including d/b/a, if any)

FEIN # 75-2722144

Evercom Systems, Inc.

14651 Dallas Parkway, Suite 600

Dallas, Texas 75254-8815

Please complete the following with respect to the Applicant and Underlying Carrier:

2. Please provide the Applicant's toll-free customer service number.

Evercom is only offering prepaid calling services to inmates in confinement facilities for use with private pay telephone service. For security reasons, as required by confinement facility administrators, a toll-free customer service number is not available to inmates. If any service complaints arise, inmates must report problems to their confinement facility administrator. See response to Question 15 for more information.

3. In what area or areas of the state does the Applicant propose to provide service?

Applicant is authorized to provide and currently provides public and inmate i.e., private payphone services in the State of Illinois (see Docket No. 99-0012 and Illinois C.C. Tariff No.1), including prepaid services to inmates at confinement facilities. Applicant anticipates that it will continue to offer its tariffed prepaid calling services only to inmates at various Illinois confinement facilities where inmate payphone service is provided or will be provided in the future. Applicant currently offers prepaid services only to inmates at approximately fifty (50) Illinois confinement facilities. Applicant has an approved tariff on file with the Commission covering the provision of these services at confinement facilities.

4. Please attach a sheet designating contact persons to work with Illinois Commerce Commission Staff on the following:

- a) issues related to processing this application
- b) consumer issues
- c) customer service complaint resolution

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- d) technical and service quality issues and compliance with service quality standards and remedies
- e) "tariff" and pricing issues
- f) security/law enforcement

Please identify each contact person's (i) name, (ii) title, (iii) mailing address, (iv) telephone number, (v) facsimile number, and (vi) e-mail address.

Applicant designates the following contact for all issues listed for a through f:

Linda Nelson, Manager – Governmental Affairs
 Evercom Systems, Inc.
 14651 Dallas Parkway, Ste. 600
 Dallas, TX 75254
 Telephone: (972) 277-0522
 Facsimile: (972) 277-0416
lnelson@securustech.net

5. Please check type of organization.

- ☐ Individual ☒ Corporation
☐ Partnership Date corporation was formed: August 22, 1997
 In what state: Delaware
☐ Other (Specify)

6. Submit a copy of articles of incorporation or other organization documents, a copy of any contract with any underlying carrier(s) and a copy of certificate of authority to transact business in Illinois.

See Attachment A for copies of Applicant's Certificate of Amendment to Certificate of Incorporation dated November 13, 2001, Certification of Incorporation for Talton Invision, Inc. dated August 22, 1997, and approved application for amended certificate of authority with the State of Illinois, Office of the Secretary of State, dated January 25, 1999.

Applicant purchases service directly through tariffed services of underlying carriers and not through a contract.

7. List jurisdictions (other than Illinois) in which Applicant is offering service(s).

Applicant operates in forty-four (44) states and the District of Columbia and plans to operate in the remaining six (6) states at some future date.

8. Has the Applicant, or any principal in Applicant, been denied a Certificate of Service or had its certification revoked or suspended in any jurisdiction in this or another name?

☐ YES (Please provide details) ☒ NO

9. Have there been any complaints or judgments levied against the Applicant in any other jurisdiction?

☒ YES ☐ NO

If YES, describe fully.

Applicant offers inmate payphone services at over 2000 confinement facilities in forty-four (44) states, including in the State of Illinois, as well as in the District of Columbia. In that regard millions of calls are processed each month. Applicant periodically receives complaints by non-incarcerated consumers for services outside the scope of this application (i.e., collect calling) at regulatory agencies. All have been satisfactorily resolved and Applicant currently has no pending regulatory consumer complaints at this Commission. Complaints by inmates are addressed in the response to Question 15.

10. Has Applicant provided service under any other name?

☒ YES ☐ NO

If YES, please list.

Applicant was previously named Talton Invision, Inc.

11. Is the Applicant seeking an expedited application pursuant to Section 13.404.1(b)?

☒ YES ☐ NO

If YES, please provide the name of the underlying carrier(s) and the docket number of the underlying carrier(s) certification proceeding.

LEC	Docket #	LEC	Docket #
CAMBRIDGE TELEPHONE	05-0259	HARRISONVILLE TELEPHONE	05-0275
CONSOLIDATED COMMUNICATION	05-0084	NAVIGATOR	99-0598
FRONTIER-79146	00-0187	SBC-MI	04-0789
GALLATIN RIVER COMM	98-0321	VERIZON-920041	92-0242
		WABASH TELEPHONE-299	97-0434

MANAGERIAL

12. Please attach evidence of the applicant's managerial and technical resources and ability to provide service. This may be in narrative form, resumes of key personnel, or a combination of these forms.

Applicant holds a certificate of service authority by Commission Order dated March 10, 1999 in Docket No. 99-0012, to provide customer owned public pay telephone service and competitive telecommunications resale service. Applicant has consistently demonstrated their managerial resources and ability to provide both public and inmate payphone service in Illinois. Applicant has been recognized for its technical qualifications as the largest provider of inmate payphone service in the country. Additional information of Applicant's key personnel and other general information may be found at the company's website: www.Evercom.net

13. List officers or principals of Applicant.

Richard E. Falcone, CEO

John J. Viola, VP and General Mgr.

Keith S. Kelson, CFO

Randy W. Hoffman, VP and General Mgr.

Robert Rae, VP

Julie Hoagland, VP

14. Does any officer or principals of Applicant have an ownership or other interest in any other entity, which has provided or is currently providing telecommunications services?

☐ YES ☒ NO

15. How does Applicant propose to handle service complaints? (At a minimum, describe Applicant's internal process for complaint resolution, the complaint escalation process, the timeframe and process by which the customer is notified by Applicant that they may seek assistance from the Commission?)

Applicant offers prepaid services to inmates at Illinois confinement facilities through either prepaid calling cards or debit accounts. These services are offered at the discretion of individual confinement facilities which may be subject to restrictions for penological reasons. If any service complaints arise, inmates must report problems to a confinement facility administrator. While most complaints are resolved at the time they are lodged, administrators

may contact Applicant through its technical support hotline, which is manned twenty (24) hours a day, seven (7) days per week, for any issues not immediately addressed.

Upon an inmate's release, any prepaid calling card with a remaining balance may be used (only until that balance is exhausted) from outside of a confinement facility by dialing the 800 number listed on the card to access Applicant's network. Any complaints must still be handled at the confinement facility where the card was originally purchased. Should a balance remain on an inmate's debit account at the time of the inmate's release, the amount will be reimbursed by the confinement facility administrator.

16. Does Applicant currently maintain service quality standards?

☒ YES ☐ NO

If YES, please attach what those standards are, any credits that may be issued for failures and how customers are notified.

Applicant's prepaid service offerings are made through contracts with individual confinement facilities typically in a competitive bidding process. Because service quality is considered in the awarding of the bid, Applicant must provide very high service quality to continue to do business. Applicant has maintained its existing certification in good standing with this Commission since 1999 and is the country's largest provider of inmate payphone service.

17. Will personnel be available at Applicant's business office during regular working hours to respond to customer inquiries about service or billing?

☐ YES ☒ NO

As Applicant's services are offered to individuals incarcerated at confinement facilities, inquiries from inmates must be directed to confinement facility administrators. See response to Question 15.

18. What telephone number(s) would a customer use to contact your company (other than the toll-free customer service number provided in response to question 1)?

Inmates are not permitted to contact anyone other than their confinement facility administrators to address any issues related to their calling cards or debit accounts. See response to Question 15.

19. Is Applicant aware that it must file tariffs prior to providing service in Illinois?

☒ YES ☐ NO

Applicant's prepaid service offerings have been previously tariffed in its Competitive Telecommunications Service Tariff on file and approved by this Commission.

FINANCIAL

20. Please attach evidence of Applicant's financial fitness through the submission of its most current income statement and balance sheet, or other appropriate documentation of applicant's financial resources and ability to provide service.

Applicant has previously demonstrated its financial fitness to provide public and inmate payphone service in the state. Applicant has been a provider of these services since 1999 and for several years prior as a predecessor company, Talton Invision, Inc.

FINANCIAL

21. Does Applicant utilize its own equipment and/or facilities?

☒ YES ☐ NO

If YES, please list the equipment and / or facilities Applicant intends to utilize. Also include evidence that Applicant possesses the necessary technical resources to deploy and maintain said facilities:

Applicant installs its own automated inmate payphone equipment at each confinement facility that it serves. Local calls are transmitted through a local exchange carrier's telephone network using telephone lines obtained at retail rates. Toll calls are completed through interexchange carriers from whom Applicant obtains wholesale service.

If NO, which underlying carrier's facilities does the Applicant intend to use?

22. Please describe the nature of prepaid service to be provided (e.g., general service, location specific service, discounted rates for specific countries, etc.).

See response to Question 15.

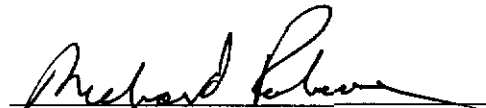
23. Will technical personnel be available at all times to assist customers with service problems?

☒ YES ☐ NO

See response to Question 15.

24. Please attach a copy of the front and back of any prepaid calling cards Applicant currently sells.

See Attachment B



Richard Falcone
CEO
Evercom Systems, Inc.

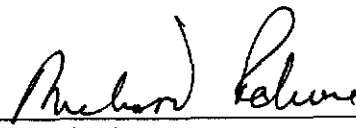
VERIFICATION

This application shall be verified under oath.

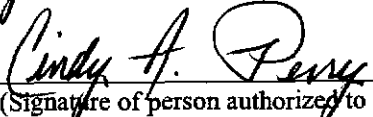
OATH

State of Texas §
 §
County of Dallas §

Richard Falcone makes oath and says that he is CEO of Evercom Systems, Inc. and that he has examined the foregoing application and that to the best of his knowledge, information, and belief, all statements of fact contained in the said application are true, and the said application is a correct statement of the business and affairs of the above-named applicant in respect to each and every matter set forth therein.



Richard Falcone
CEO
Evercom Systems, Inc.

Subscribed and sworn to before me, a Notary Public/ CINDY A. PERRY
in the State and County above named, this 13th day of July, 2005


(Signature of person authorized to administer oath)

